

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on JANUARY 26, 2007

PATENT

Docket No.: 02307K-141581US

Client Ref. No.: UCLA Reference No.: 97-575-B

TOWNSEND and TOWNSEND and CREW LLP

By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert E. Reiter et al.

Application No.: 09/854,811

Filed: May 14, 2001

For: METHODS FOR INDUCING AN
IMMUNE RESPONSE TO CANCERS
EXPRESSING PSCA

Confirmation No.: 9472

Examiner: Peter J. Reddig

Art Unit: 1642

COMMUNICATION AND NOTICE
OF CORRECTION TO PAPERS
FILED ON JANUARY 10, 2007 WITH
PETITION FOR REVIVAL OF
APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request to take notice of corrections concerning papers filed on January 10, 2007 with a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b), with respect to the above-identified patent application. From a review of PAIR, these documents were received by the U.S. Patent and Trademark Office on January 17, 2007.

Applicant believes that no additional fees are required, as payment for the Petition for Revival and Notice of Appeal have been made. However, if a fee is due, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account 20-1430.

Error on Transmittal Form - Examiner's Name

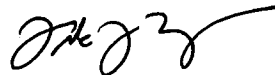
The Examiner's Name was indicated incorrectly on the Transmittal Form. The Transmittal Form should be corrected to identify the Examiner as "**Peter J. Reddig**," instead of "Larry Ronald Helms".

Errors on Petition for Revival of An Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) - Title of Application and Examiner's Name

There are two errors on the Petition for Revival in that the title of the patent application, "Use of (-)(3-Halomethylphenoxy) (4-Halophenyl) Acetic Acid Derivatives for Treatment of Insulin Resistance, Type 2 Diabetes, Hyperlipedemia And Hyperuricemia" should read "**Methods for Inducing An Immune Response to Cancers Expressing PSCA**". The Examiner's name, "Larry Ronald Helms," should read "**Peter J. Reddig**".

The corrections are noted on the attached marked-up copies of the papers submitted January 10, 2007.

Respectfully submitted,



Frank J. Mycroft
Reg. No. 46,946

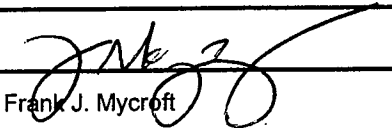
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
FJM:kar

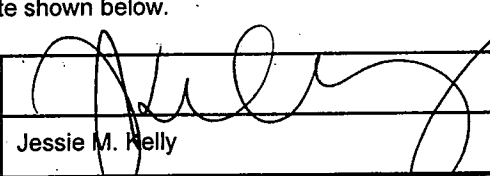
MARKED-UP COPIES

with corrections

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/854,811	
	Filing Date	May 14, 2001	
	First Named Inventor	Reiter, Robert E.	
	Art Unit	1642	
	Examiner Name	Larry Ronald Helms - PETER J. REDDIG	
Total Number of Pages in This Submission	6	Attorney Docket Number	02307K-141581US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 1.37(b) and a Return Postcard
Remarks <input type="checkbox"/> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Frank J. Mycroft		
Date	1-10-07	Reg. No.	46,946

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Jessie M. Kelly	Date	1-10-07

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
02307K-141581

First named inventor: Robert E. Reiter

Application No.: 09/854,811

Art Unit: 1642

Filed: May 14, 2001

Examiner: ~~HELM, Larry Ronald~~
REDDIG, PETER J.

Title: ~~Use of (-) (3-Halomethylphenoxy) (4-Halophenyl) Acetic Acid Derivatives for Treatment of Insulin Resistance, Type 2 Diabetes, Hyperlipidemia And Hyperuricemia~~ METHODS FOR INDUCING AN IMMUNE RESPONSE
TO CANCERS EXPRESSING PSCA

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity — fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity — fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Notice of Appeal _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

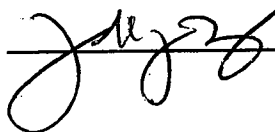
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. ☒ For fees authorized to be paid hereinabove, the Commissioner is hereby authorized to charge the fees, any deficiency of fees, and credit of any overpayments, to Deposit Account No. 20-1430.

5. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



 Signature
 Frank J. Mycroft

 Typed or printed name

1-10-07

 Date
 46,946

 Registration Number, if applicable

Townsend and Townsend and Crew LLP

 Address
Two Embarcadero Center, 8th Floor; San Francisco, CA 94111

 Address

(925) 472-5000

 Telephone Number

- Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay
☒ Other: Notice of Appeal

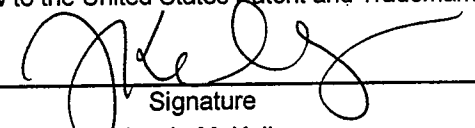
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

1-10-07

 Date



 Signature
 Jessie M. Kelly

 Typed or printed name of person signing certificate

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

02307K-141581US

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on 1-16-07

Signature

Typed or printed

name Jessie M. KellyIn re Application of Robert E. Reiter et al.Application Number 09/854,811Filed May 14, 2001For **METHODS FOR INDUCING AN IMMUNE
RESPONSE TO CANCERS EXPRESSING PSCA**Art Unit 1642Examiner Larry Ronald
Helms

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- ☒ attorney or agent of record.
Registration number 46,946
- ☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Signature

Frank J. Mycroft
Typed or printed name

(925) 472-5000

Telephone number

1 - 16 - 07

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.